

Date: May 24, 1990

To: All Wisconsin Nursing Homes
All Surveyor Staff

From: Larry Tainter, Director
Bureau of Quality Compliance

Subject: Statewide Waiver of HSS 132.84(2)(e)1.
Amended to Include HSS 132.84(2)(f)2.

Over the past several years the Bureau of Quality Compliance has granted numerous waivers to HSS 132.84(2)(e)1 and 132.84(f)2 thereby allowing the sharing of toilet facilities between sexes. Based on our experience with these waivers the Bureau is granting a blanket waiver of to HSS 132.84(2)(e)1 and 132.84(2)(f)2. Effective on the date of this memorandum, facilities must adhere to the following conditions in order to be covered by this waiver:

1. Privacy locks must be installed on the toilet room doors with a quick release mechanism which allows staff to open the doors from the resident room in an emergency.
2. The consent of all residents involved in sharing the toilet facilities with the opposite sex shall be in writing, signed by the resident or legal guardian and filed in the resident's file.
3. The waiver shall remain in effect as long as the residents and/or rooms do not change and all other conditions are being met.
4. The department will periodically review facilities' compliance with the condition of this waiver during survey.
5. A waiver from HSS 132.84(1)(a) is not required for room sharing by married couples per HSS 132.31(1)(f)1.

The Bureau will propose a modification to HSS 132.84(2)(e)1 and 132.84(2)(f)2 at the time of the next revision of HSS 132.

If you have any questions, please contact Allan Stegemann at (608) 266-2055.

LT:ADS:bc 9809

cc: -FRS files
-Susan Wood
-George F. MacKenzie
-Section Chiefs
-Field Operations Managers
-Wisconsin Assn. of Homes and Services for the Aging
-Wisconsin Association of Nursing Homes
-Wisconsin Counties Association
-Board on Aging and Long Term Care
-Wis. Medical Records Assoc. Consultants Comm.
-Service Employees International Union, Local 150
-Wis. Coalition for Advocacy
-Comm. On Aging, Extended Care Facilities/Home Health Care
-Wis. Association of Medical Directors
-Bureau Director, BHCF